

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

IN THE MATTER OF: :

Burton F. Clark, Inc., :

Respondent :

Docket No. CWA-02-2012-3311

**REPORT OF STATUS TELECONFERENCE AND
ORDER CONTINUING TELECONFERENCE**

The status teleconference in this matter was held on January 3, 2013. Participating were:

Presiding Officer:	Helen Ferrara
Respondent's Attorney:	Kevin Young
Respondent's Representative:	Peter Gutliph, Manager
Complainant's Attorney:	Kara Murphy
Complainant's Representative:	Katherine Mann, Physical Scientist Water Compliance Branch

Introduction: The Presiding Officer established that the purpose of the teleconference was to assess the status of this matter.

Status: The Respondent's attorney stated, and Complainant's attorney confirmed, that the parties had engaged in settlement negotiations by email and telephone, and that Complainant's offer for a specific settlement amount was being considered by Respondent. The parties are also currently discussing the possibility of a SEP.

It was agreed that it was in the best interest of the parties for a second status teleconference to be scheduled a month from the date of this conference. In light of the above, the undersigned issues the following **Order**.

IT IS ORDERED:

The Presiding Officer is continuing this status teleconference until Tuesday, February 5, 2013, beginning at 10:00 AM, or as soon thereafter as the Presiding Officer can make the necessary arrangements. Unless the parties advise the Presiding Officer otherwise, she will call Mr. Young at (518) 4380-9907 and Ms. Murphy at (212) 637-3211.

Additions or Corrections: The attorneys for the Agency and Respondent may bring errors or omissions in this Report to the attention of the Presiding Officer no later than **January 18, 2013**, and a corrected report will be issued as appropriate.

Date: January 8, 2013



Helen Ferrara
Presiding Officer
U.S. Environmental Protection Agency
290 Broadway – 16th Floor
New York, N.Y. 10007-1866
Tel: (212) 637-3233

CERTIFICATE OF SERVICE

I hereby certify that the **Report Of Status Teleconference And Order Continuing Teleconference** by Regional Judicial Officer Helen Ferrara in the matter of **Burton F. Clark, Inc., Docket No. CWA-02-2012-3311**, was served on the parties as indicated below:

First Class Mail - Kevin M. Young, Esq.
Young/Sommer LLC
5 Palisades Drive
Albany, New York 12205

Inter Office Mail - Kara Murphy, Esq.
Office of Regional Counsel
USEPA - Region II
290 Broadway 16th Floor
New York, New York 10007-1866



Karen Maples
Regional Hearing Clerk
USEPA - Region II

Dated: January 8, 2013